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HIGH COURT OF CHHATTISGARH AT BILASPUR

DIVISION BENCH

CORAM : HON'BLE SHRI H.L. DATTU, CJ.
HON'BLE SHRI D.R. DESHMUKH, J.

Writ Petition (C) No.2576 of 2007

PETITIONER : M/s. Mohd. Kasim, through: Partner Sheikh Niyamtulla, aged 42 yrs. S/o Shri Mohd. Kasim, R/o. Darri Road, Qtr. No.173, Ward No.01, Ram Sagarpara, Korba, Tahsil and District Korba (C.G.)

Versus

RESPONDENTS

1. Chhattisgarh State Electricity Board, through: the Member of Generation Danganiya, Near Rajkumar College Raipur (C.G.)
2. The Chief Engineer Generation Hasdev Thermal Power Station, Chhattisgarh State Electricity Board Korba (West), Post Jailgaon, Tahsil Katghora, District Korba (C.G.)
3. The Superintendent Engineer, Purchase & Works Hasdev Thermal Power Station, Chhattisgarh State Electricity Board, Post Jailgaon, Tahsil Katghora, District Korba (C.G.)

Writ Petition under Article 226 of the Constitution of India.

Present : Shri HB Agrawal, Senior Advocate with Shri Sudhir Verma, counsel for the petitioner.
Shri AS Gaharwar, standing counsel for the respondents.

ORAL ORDER
(Passed on 2nd May, 2007)

The following oral order of the Court was passed by

H.L.Dattu, C.J. :

In our opinion, the petition filed by the petitioner is wholly premature and to say the least frivolous writ petition. The respondents have issued a notification inviting tenders for a particular purpose. The notification is published in the newspaper which has wide circulation. If for any reason, the petitioner was interested in participating in tender process pursuant to the advertisement issued by the respondents, he should necessarily go before the authorities and seek for tender forms by paying the fee prescribed. Without doing anything, the petitioner

has rushed to this Court *inter alia* seeking a writ in the nature of certiorari to quash some conditions in the notification and also for a direction to the respondent to issue the tender form.

(2) As we have already stated, the petition filed by the petitioner is wholly premature. Before approaching this Court, he should have approached the respondents for supply of tender forms, if he is interested to participate in the tender process by paying appropriate fee. Since that has not been done in the present case, we decline to entertain this writ petition. Accordingly, the writ petition is rejected. Ordered accordingly.

Sd/-
Chief Justice

Sd/-
D.R. Deshmukh
Judge